

## **STATE OF NORTH CAROLINA COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Tuesday, September 2, 2008 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, Newland, N.C.

Members Present: Kenny Poteat, Chairman; Susan Pittman, Vice-Chair; Scott Heath

Members Absent: Phyllis Forbes; Dan South

### **Call To Order**

Chairman Poteat called the meeting to order at 3:30 p.m.  
Scott Heath offered prayer.

### **Public Appearances**

John Mejaski, Town Manager of Banner Elk, spoke to the Board regarding the Banner Elk Elementary School. Mr. Mejaski stated that he had appeared before the Avery County Board of Education last month about the Banner Elk Elementary School and perhaps the Town of Banner Elk acquiring the school because of the historical nature of the school. Mr. Mejaski advised that the Banner Elk Elementary School was the key to down town Banner Elk. Mr. Mejaski stated that the State of North Carolina allows eminent domain and the Town of Banner Elk could take it for fair market value. Mr. Mejaski advised that this was the time to get on the “same page” and hopefully something could be worked out between the County and the Town of Banner Elk. Mr. Mejaski stated that he would be in contact with each Commissioner individually.

Chairman Poteat stated that Junior Sluder had needed some information from the Board of Commissioners regarding the savings on homeowner’s insurance and their fire tax. Scott Heath stated that he was classified as a class 9 and was saving \$150.00 on his homeowner’s insurance but there was an issue with his fire tax and he was going to talk with the Tax Assessor’s Office regarding that. Martha Hicks reported that she was in class 9 and the savings on her homeowner’s insurance was \$180.00 and the fire tax was \$31.00. Chairman Poteat stated that the Board appreciated Mr. Sluder’s effort on these issues.

### **Board Appointments**

#### **North Carolina Senior Tarheel Legislature Alternate**

The County Manager stated that there is a recommendation for Ina Winters to be the Alternate for the North Carolina Senior Tarheel Legislature. Chairman Poteat advised that Ms. Winters had worked in Newland with child development for many years and been involved in the community and was a fine lady.

**Motion by Scott Heath and second by Susan Pittman to appoint Ina Winters as the North Carolina Senior Tarheel Legislature Alternate for a term of 4 years. Unanimously approved with those in attendance (3-0).**

Chairman Poteat read Dan South’s comments: “I assume that Ms. Winters will be Ms. Rachel Deal’s alternate. I think Ms. Winters will be a wonderful representative of Avery County. I support her nomination.”

### **Fire Commission Appointment**

Chairman Poteat stated that it was the recommendation of the Fire Association that Shane Garland be appointed to the Fire Commission. Chairman Poteat read Dan South’s comments: “I think that Shane Garland is an excellent candidate for the Fire Commission. His education and expertise in fire, emergency medical and rescue will be invaluable to the Fire Commission. I fully support his appointment to the Fire Commission”. Chairman Poteat stated this would be a two year term.

**Motion by Scott Heath and second by Susan Pittman to appoint Shane Garland to the Fire Commission for a 2 year term. Motion unanimously approved with those in attendance (3-0).**

### **County Manager – Robert Wiseman**

The County Manager stated that there was some erroneous information that went out to the citizens of Avery County last week beginning the 28<sup>th</sup> of August. This was an automated pre-recorded telephone message and the content of the message urged the people to whom that message went out to call the County Commissioners and ask them to vote against the “home tax”. The message gave the wrong number for the Commissioner’s office and gave an unpublished rollover number, advised the County Manager.

The County Manager advised that he had no idea where the message was generated from and how it was financed and that the message was erroneous and misleading information. The Vice-Chairman of the Board of Commissioners was notified and Ms. Pittman felt it was in the best interest for the citizens of Avery County to know that there was no vote on the “home tax”, which was not even the correct name, but would presume that they were referring to the Land Transfer Fee. Every county in the state of North Carolina has the option to allow the people to vote on the Land Transfer Fee and it would appear that some people would like to deny the citizens of Avery County to vote on that issue, stated the County Manager. There was an announcement that was put on the radio, after checking with Ms. Pittman, that gave the correct telephone number for the Commissioner’s office and gave the correct telephone number for the County Manager’s Office and advised any of the citizens who had questions or concerns about this prerecorded automated message to call the Commissioners office or the County Manager’s office. The County Manager stated he was at a loss where this would be coming from. There was a lot of erroneous information. The County Manager advised there was no formal discussion about what the options for the County are. The County Manager stated that this issue may need to be addressed in the foreseeable future about the direction the County would like to take.

**Recess for 1 ½ minutes.**

**Motion by Susan Pittman and second by Scott Heath to go out of Regular Session and go into a time of Public Hearing at 3:50 p.m. Motion unanimously approved (3-0).**

**Public Hearing – Crossnore Fire Department**

Chairman Poteat read aloud the Public Hearing announcement: “The Avery County Commissioners will be holding a Public Hearing on September 2, 2008 beginning at 3:50 p.m. to consider the purchase of a fire truck by Crossnore Volunteer Fire Department, Inc., located at 10 E. Crossnore Drive, Crossnore, North Carolina. The purchase of the fire truck shall be partially financed by the issuance of the obligations of Crossnore Volunteer Fire Department, Inc., in the maximum aggregate principal amount not to exceed \$215,000 upon which installment payments shall be calculated. The initial owner and operator of the fire truck will be Crossnore Volunteer Fire Department, Inc. The fire truck shall be located at 10E. Crossnore Drive, Crossnore, N.C.”

The County Manager stated that this is not the usual procedure with the volunteer fire departments applying for loans but this is a transaction that is taking place with Crossnore Fire Department and United Community Bank and this is a tax exempt loan and because of the special nature of the loan the regulations surrounding the approval of the loan would require that a public hearing be held. By going this route, United Community Bank has been able to secure a very low interest rate on the loan.

Daryl Smith advised that the main benefit would be a lower interest rate which would help every one in Avery County.

Chairman Poteat read aloud the Resolution which states: “Resolution approving the execution and delivery of a financing contract by Crossnore Volunteer Fire Department, Inc. with United Community Bank to finance the acquisition of a fire truck, and determining other matters in connection therewith; therefore, be it resolved by the governing body for Avery County, North Carolina Crossnore Volunteer Fire Department, Inc. proposes to purchase a fire truck for use in providing fire protection services to an area within the jurisdiction of this governmental unit and to finance the purchase thereof through a financing contract with United Community Bank; and after consideration, the governing body has determined that it is advantageous to approve the financing of such purchase of the fire truck through a financing contract in the amount of \$215,000 with United Community Bank and the same is hereby approved pursuant to Section 147 (f) of the Internal Revenue Code of 1986”.

No comments from the public.

**Motion by Susan Pittman and second by Scott Heath to go out of the Public Hearing at 3:56 p.m. Motion unanimously approved with those in attendance (3-0).**

**Motion by Scott Heath and second by Susan Pittman to adopt the Resolution for Crossnore Fire Department.**

Scott Heath questioned if this purchase of the fire truck was part of the replacement plan for the fire departments. Daryl Smith stated that the truck had been ordered and received and this is just rearranging some financing.

**Motion unanimously approved with those in attendance (3-0).**

**Tax Collector – Phillip Barrier**

The total amount of collections for the month of August 2008 is \$2,000,982.52.

**Motion by Susan Pittman and second by Scott Heath to approve the Tax Collector’s Report for the month of August 2008 as read. Motion unanimously approved with those in attendance (3-0).**

**Tax Assessor’s Report – Phillip Barrier**  
**Real and Personal Releases**

The Real and Personal Releases for August 2008 are County Tax \$9,645.43; Fire Tax \$1,041.25; Late-List Penalty \$18.76 for a total of \$10,686.68. Mr. Barrier stated the reason for the inflated numbers was a house burned 6/07 but was billed at 100% in error.

**Motion by Susan Pittman and second by Scott Heath to approve the Real and Personal Releases for August 2008. Motion unanimously approved with those in attendance (3-0).**

**Real and Personal Refunds**

The Real and Personal Refunds for August 2008 are County Tax \$111.02; Fire Tax \$10.93.

**Motion by Scott Heath and second by Susan Pittman to approve the Real and Personal Refunds for August 2008. Motion unanimously approved with those in attendance (3-0).**

### **Motor Vehicle Refunds**

The Motor Vehicle refunds for August 2008 are \$27.56. The Bill of Sale was less than the assigned value on the vehicle. Mr. Barrier stated that if a person can prove that a vehicle is appraised more than what the person paid for the vehicle then the person has a 30 day window to appeal. Mr. Barrier also stated that the State assigns values to motor vehicles based on sales across the State.

**Motion by Susan Pittman and second by Scott Heath to approve the Motor Vehicle Refunds for the month of August 2008. Motion unanimously approved with those in attendance (3-0).**

### **Motor Vehicle Releases**

Chairman Poteat pointed out an error on the Motor Vehicle Releases where the Fire Tax was greater than the County Tax. The Fire Tax corrected would be \$2.11 and the County Tax is \$19.23 with the total release being \$21.34.

**Motion by Susan Pittman and second by Scott Heath to approve the Motor Vehicle Releases as amended. Motion unanimously approved with those in attendance (3-0).**

Mr. Barrier stated that Mary Daniels, Phillip Barrier and two women from his office traveled to Asheville, North Carolina last Monday for a workshop on some new tax exclusion programs. Mr. Barrier advised there will be three property relief programs effective January 1, 2009. These programs include Elderly and Disabled Exclusion, Disabled Veteran Exclusion, and Homestead Circuit Breaker. To qualify for the Elderly and Disabled Exclusion the person must be a resident of Avery County and have an income less than \$25,600 per year. To qualify for the Disabled Veteran Exclusion the person must be a resident of Avery County, honorably discharged and a 100% disabled Veteran. To qualify for the Homestead Circuit Breaker program the person must be a resident of Avery County 65 or older, own property for 5 years and the taxes must exceed 5% of the total income of \$38,400. Mr. Barrier stated that this was based on the total tax which includes the fire tax.

Chairman Poteat read Dan South's comments: "Darn....a \$2.4 million hit is a big one".

### **Avery County Work First Plan – Tom Hughes**

Mr. Tom Hughes, Director of the Department of Social Services, stated that he was at this meeting to formally submit the Avery County Work First Plan. Mr. Hughes advised that this is just a revision of the plan with the updates that the State requires. Mr. Hughes reported that this Work First Plan serves as a road map so the State can see how the County is going to take care of the responsibilities and meet the criteria for certain services.

Mr. Hughes stated that this years Avery County Work First Plan has had a few requirements added to the plan. One of the requirements was to have the family at the center of everything that the Work First does and let the family be an active participant in their problem solving. Also, language that needed to be added to the Avery Work First Plan was the Americans with Disabilities Act which states that Work First is set up to serve that population. Mr. Hughes advised that at the State level the Avery Work First Plan was approved and all the requirements at the State level were in place. Mr. Hughes stated that the goal of Avery County Work First Plan is to help people become more self-sufficient, help with education and help with locating jobs. Scott Heath questioned if this plan was an employment health service with the people dealt with through Social Services. Mr. Hughes advised that it is a team effort between Joblink, Employment Security Commission and Social Services. Chairman Poteat questioned about public notification of the Avery County Work First Plan. Mr. Hughes stated that the public notice will be publicized for 2 weeks beginning September 3, 2008. Mr. Hughes advised that he was getting the approval of the Board for what is done and then the Avery County Work First Plan would be resubmitted for the Chairman's signature after the public notice. Susan Pittman stated that this Work First Plan has been in place for several years.

**Motion by Susan Pittman and second by Scott Heath to approve the Avery Work First Plan. Motion unanimously approved by those in attendance (3-0).**

### **High Country Council of Government Interlocal Agreement**

Chairman Poteat stated that for many years Regional Council of Governments were not allowed to have ownership of buildings and by intervention of the State Legislature this was changed and now Regional COG's do have the ability to buy property. Chairman Poteat read from the Interlocal Agreement of the High Country Council of Government: "Whereas, the HCCOG has approval from its Executive Board that it may borrow up to \$1.5 million, which based on a 4.59% APR would equal yearly payments of \$114,753". Chairman Poteat stated that the current rent being paid is \$115,203 so actually HCCOG is going to own the building for less than what HCCOG is making in rental payments. Chairman Poteat advised that Avery County would be part ownership in this building. Chairman Poteat read another portion from the Interlocal Agreement which stated "should the HCCOG cease to exist, cease to do business, or cease to provide services to the County Members, the County Members shall be entitled to become title owners of the property described above". Chairman Poteat stated that if HCCOG ceased to exist, Avery County would recoup their monies. Chairman Poteat advised that if one of the seven counties decided not to sign, this would not take place. Scott Heath stated that this is not any capital outlay from the County but money we have already contributed. Mr. Heath questioned if all the other counties paid their fair share. Chairman Poteat answered that the counties paid per capita. Susan Pittman stated that this was a good board and she didn't see any reason why any County would not do this.

**Motion by Scott Heath and second by Susan Pittman to approve the High Country Council of Government Interlocal Agreement. Motion unanimously approved with those in attendance (3-0).**

Chairman Poteat read Dan South's comments: "Unless there is something I don't see or know, I support strongly Avery County being a part of the HCCOG. If we stop being a part of the HCCOG we lose a tremendous amount of leverage with Raleigh. I strongly support this resolution."

**Farmland Preservation Committee-Gerald Arthur**

Gerald Arthur, President of the Agriculture Advisory Committee, came before the Board to request that the filing fees for the Farmland Preservation Program in the Register of Deeds office be waived. Tammy Baker, Register of Deeds, stated that the fee would be approximately \$20.00 and that some of the other counties have agreed to waive these fees for their Farmland Preservation Program. Michaelle Poore, County Attorney, stated that the Agriculture Advisory Board was set up by the County and since it was a County entity that this filing would possibly be exempt from the filing fees. Jerry Moody advised that the reason for waiving these fees were to keep anything from standing in the way of the farmer not signing up for the program. Jerry Moody stated that between 90 to 100 farms could be signed up this year. Gerald Arthur advised that the Farmland Preservation Program applied for a grant for \$30,000 but only received \$16,000 of that grant. Mr. Arthur stated that the Board of Commissioners had committed to \$9,000 for the \$30,000 grant previously and that the Agriculture Advisory Committee is asking for \$1500 to cover costs such as paper, postage and toner not covered by the grant. Mr. Arthur advised that this additional \$1500 requested when added to the matching \$4950.00 amount is still less than the \$9000.00 that the Board of Commissioners originally committed to for this program.

Chairman Poteat read Dan South's comments: "I support both issues. We need to encourage folks to put farmland into the Preservation Program. I believe that waiving the fees will show our support of the program. I wish they had included the \$1500.00 in their budget request. If there is no other way to support this request without a budget amendment then I would recommend that we amend the budget for the dollars".

**Motion by Susan Pittman and second by Scott Heath to amend the budget to increase the Farmland Preservation Program by \$1500.00 to be placed in an account deemed appropriate by the Finance Officer.**

Scott Heath stated that this is a tight year and he also recommended no amendments but with the \$9000.00 already allocated that he supported this decision and supported the Farmland Preservation Program. Chairman Poteat advised that the Board needed to be keenly aware of budget amendments and that the budget amendments would be closely scrutinized. The County Manager stated that last year by unrealized requests when the budget was made we are right at or over \$1,000,000 to make up that we put out last year that was not budgeted in the 2007/2008 budget. The County Manager advised that in 1999 Chowan County had \$21,000,000 in reserves and because of extravagant draw downs on those monies and keeping the tax rate low right now Chowan County is \$533,000 in the hole and the Local Government Commission is involved in this.

**Motion unanimously approved with those in attendance (3-0).**

Chairman Poteat questioned the County Attorney if the Board needed to approve the waiving of fees. The County Attorney felt that the Board should vote on this matter.

**Motion by Scott Heath and second by Susan Pittman to authorize the Register of Deeds to waive the filing fees for property placed in the Farmland Preservation Program in the event that the same are not waived by the General Statute.**

Scott Heath commented that most people do not want to put a tremendous amount of restrictions on their property but sees this as an advantage to the County to preserve farmland.

**Motion unanimously approved with those in attendance (3-0).**

**County Manager Report- Robert Wiseman**

**County Manager Updates**

**Rabies Action Team**

The County Manager stated that the 8 updates did not require action but was just giving an update on how things were progressing. The County Manager advised that a draft of the Rabies Action Team bylaws and mission statement has been developed and Jesse Greene, Director of the Toe River Health District, has been contacted regarding this committee and hopefully by the next meeting there will be some document to look at.

**Accountability of Nonprofits**

The County Manager reported that by the end of the first quarter the Accountability of the Nonprofits should be in place so that the County can have details on how funds given by the County to the Nonprofits are spent.

**Recreation Department Property**

The County Manager stated that Avery County Recreation Advisory Committee and Robbie Willis, Recreation Director, has met with Region D and Appalachian University representatives to compile a long range plan for what is the best use of that property for recreational purposes. The County Manager advised that there is money in the Recreation budget to compensate the interns that will be working from Appalachian University. Susan Pittman stated that the mobile unit at the Recreation Property ruins the looks of that property.

#### Appraisals on Surplus Property

The County Manager advised that he has unofficial appraisals at this time but he didn't feel it would be appropriate to disclose these amounts until the Board decided what to do with the properties. The County Manager reported he has not heard back from Lees McRae College about the Banner Elk Child Development Center.

#### ADM Funds

The ADM funds that were tabled at the last meeting will be discussed on September 15, 2008 at 5:00 p.m. when the Board of Education and Board of Commissioners meet in a joint meeting.

#### Jail Consultant

The County Manager advised that he had met with the jail consultants and jail architects recently and there was a lot of discussion regarding the jail.

Scott Heath stated that two or three different times people had come to him concerning a possible problem with coyotes. Mr. Heath questioned the County Manager if he had heard anything in regards to this. The County Manager stated that this could be a North Carolina Wildlife issue.

Chairman Poteat read Dan South's comments: Accountability of Non-Profit Funds—"I thought we had already done this..... I absolutely agree all nonprofits that we give financial assistance to need to account for all dollars. If they don't want to account for the money then no more tax money." NRCS---"No issue, I wish we could get this changed. "Long range planning for Recreation property---"Great, I look forward to discussing this when I come home." ADM Funds---"Great, I have several comments for the BOE meeting."

#### Senate Bill 845 – Allen Hughes

Allen Hughes, Toe River Health District, stated that back in June there was talk about Senate Bill 845 possibly being passed which it now has been. Mr. Hughes advised that Senate Bill 845 states "an act to amend certain environmental and natural resources laws to provide that private drinking water wells are to be tested for certain additional parameters". Mr. Hughes stated that in July 1, 2008 the well program was initiated by the State which requires a battery of testing and Senate Bill 845 which will take effect October 1, 2009 requires well water sampling for volatile organic compounds (VOC's) which is essentially a petroleum sample. Mr. Hughes advised that if there is an area of known contamination that the testing for VOC's is a good idea but if there is not an area of known contamination that would be a lot of money to invest in VOC testing. Mr. Hughes stated that with every well permit October 1, 2009 VOC's would have to be tested and this would add an additional \$230.00 per sample and would be passed on to the consumer. The well permits now are \$310.00 and with the additional \$230.00 this would make a total of \$540.00 which would be a hardship on the taxpayers of Avery County. Scott Heath questioned if the VOC's were found in the wells did that necessarily mean the person would have to dig a new well. Mr. Hughes stated that the person did not have to dig a new well. The County Manager advised that this has not come to the attention of other counties in the High Country Council of Government and that the County Manager had talked with Rick Herndon, High Country Council of Government, regarding this issue. Chairman Poteat read a statement from Mike Reavis from Yadkin County, North Carolina which states "testing for VOC's is appropriate when circumstances indicate a risk of their presence in a drinking water well. Testing for VOC's in all new wells is not a good use of resources." The County Manager stated that the Resolution opposing Senate Bill 845 would be sent to all of the counties in the HCCOG. Chairman Poteat advised that he would make it a point to bring this Resolution to the Executive Director's attention and even ask the possibility of having a joint resolution above and beyond the individual Resolution.

**Motion by Susan Pittman and second by Scott Heath to approve the Resolution opposing Senate Bill 845. Motion unanimously approved with those in attendance (3-0).**

#### Fire Coordinator Position Vacancy

The County Manager stated that the Fire Coordinator retired a few weeks ago and that position is a County position which created some confusion in certain points in time because the person being a County employee answered to the Fire Marshall who answered to the County Manager who answered to the Board of Commissioners but yet the work that was being performed by the Fire Coordinator was strictly that of the Fire Commission so there was a breakdown in the chain of command between the Fire Commission and Fire Coordinator. The County is responsible in this particular point in time for hiring, disciplining, compiling the job description and doing any kind of monitoring of the individual. The County Manager stated that in his opinion that this position should be under who the Fire Coordinator is actually working for. The County Manager advised that he had met with the Fire Commission and that the consensus was that the Fire Coordinator's position needs to be under the control of the Fire Commission and indeed a Fire Commission employee which means that at least not later than next July that would be a position that would be taken out of the fire tax. The County Manager stated that funds that were necessary for that position could be transferred for the remainder of the fiscal year from that line item over into the Fire Commission budget. Discussion regarding the Fire Coordinator Position. The County Manager advised that there has not been an assistant Fire Marshall in quite some time and the position of assistant Fire Marshall will be vacate until next July and that is not a big issue at this point. Chairman Poteat questioned Daryl Smith, Chairman of the Fire Commission, whether the Fire Commission was in agreement with the Fire Coordinator Position being transferred to the responsibility of the Fire Commissioner. Daryl Smith answered that the Fire Commission was in agreement with this.

**Motion by Susan Pittman and second by Scott Heath that the position of Fire Coordinator be assigned to the Fire Commission effective immediately. Motion unanimously approved with those in attendance (3-0).**

Chairman Poteat read Dan South's comments: "Do we have an agreement with all parties involved? Has this been discussed with the fire association? It seems like a good idea. However, please don't have another war over something that in the long run has no meaning. I trust that we have learned from the past couple of years that we need to build a consensus before we make a decision. We need to work out our problems with the issue in meetings and not in the newspaper."

**Finance Officer Report – Tim Greene**  
**Budget Amendment # A09-08**

The Finance Officer stated that as a result of the State assuming the counties share of Medicaid responsibilities, the ADM Public School Building Capital fund contributions were partially reduced for the fiscal year 2007/08. This was a one-time reduction with the Counties to replace the ADM reduction utilizing funds received from the Medicaid Hold Harmless Payment.

**Motion by Susan Pittman and second by Scott Heath to adopt the budget amendment a \$71,000 debit to transfer to Banner Elk School Fund (46 6600.8541) with equal credit of Fund Balance-Appropriated (46 3990.0000) with an additional \$71,000 debit to General Construction (43 6600.4004) and \$71,000 credit to transfer from Capital Reserve (43 3102.0000). Motion unanimously approved with those in attendance (3-0).**

**Budget Amendment #A09-09**

The Finance Officer advised that there was a letter from the North Carolina Wireless 911 Board dated December 13, 2007. Session Law 2007-383 changed the wireless and wire line fees. All the E911 fees goes into a special revenue fund and only approved expenses can be taken out of that fund and with the new Session Law the fees were changed from being wireless fees, i.e. cell phones and landline fees to just one fee. As a result of that any fund balance of landline line fees collected prior to January 1, 2008 can be transferred to the General Fund. The Finance Officer stated that the reason he had waited until now to do this is the Wireless Board was supposed to have gone around and had meetings to explain this Session Law. The Finance Officer reported that he had contacted the Wireless 911 Board about the meetings and the Board stated it would be at a later date but would be ok to transfer these funds to the General Fund. Discussion regarding the E911 funds.

**Motion by Susan Pittman and second by Scott Heath to approve a budget amendment of a transfer to General Fund debit (22 6600.8550) and ensuing Fund Balance Appropriated Credit (22 3990.0000) and available for appropriations Debit (10 7000.6000) and ensuing transfers to or from General Fund (10 3903.0000) of \$301,133.84. Motion unanimously approved with those in attendance (3-0).**

**County Attorney Report – Michaelle Poore**

Michaelle Poore, County Attorney, stated that it had been a slow month, no litigation is pending. There are two more tax foreclosures that the Tax Collector has sent.

**Approval of Minutes**

**Motion by Susan Pittman and second by Scott Heath to approve the minutes from the Regular Session August 4, 2008. Motion unanimously approved with those in attendance (3-0).**

**Agenda Consent Items**

Chairman Poteat read Dan South's comments regarding Mr. Tom McDevitt of the local mental health: "Are these allegations accurate? If these allegations are true then I feel Mr. McDevitt should resign."

Susan Pittman stated that she went to the meeting regarding Mr. Tom McDevitt and she is not sure of the accusations if they are true or not and some of these may have been discussed in executive session. Mr. McDevitt is being looked at and scrutinized.

Scott Heath questioned if the Linville Central Rescue Squad not backing up Avery EMS would put a hardship on Avery EMS. The County Manager stated he did not think so that it was very seldom that Avery EMS could not respond to all the calls. Chairman Poteat advised that he had spoken with Jerry Turbyfill and he said that it would have little, if any, impact.

**Agenda Consent Items adopted by Consensus of the Board.**

**Upcoming Meetings**

The next meeting will be September 15, 2008 for the Secondary Roads Meeting and then at 5:00 p.m. on the same date there will be a joint meeting with the Board of Education and the Board of Commissioners. Chairman Poteat read Dan South's comments: "Would it be possible to hold a meeting on October 20, 2008? I will be coming home on October 2, 2008 but do not get to the United States in time to make the meeting. " There will be a second meeting October 20, 2008.

**Adjournment**

**Motion by Susan Pittman and second by Scott Heath to adjourn this meeting at 6:00 p.m.  
Motion unanimously approved with those in attendance (3-0).**

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**Kenny Poteat, Chairman  
Avery County Board of Commissioners**

ATTEST: \_\_\_\_\_  
Cindy Turbyfill, Clerk